

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

RAFAEL A. JONES, SR.,)	
)	
Petitioner,)	
)	
v.)	No. 4:12CV511 TCM
)	
JEFF NORMAN,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court on Jones’ application for writ of habeas corpus brought pursuant to 28 U.S.C. § 2254. In his petition, Jones, who is serving a state imposed prison sentence, seeks to reverse an adverse judgment in a prior federal civil court action brought pursuant to 42 U.S.C. § 1983 and RICO. Section 2254 provides relief to prisoners in state custody seeking to overturn a state court criminal conviction allegedly assessed in violation of the Constitution or laws or treaties of the United States. As Jones is not attempting to challenge a state court judgment, this case is not cognizable in § 2254 proceedings, and the Court will summarily dismiss this action. See Rule 4 of the Rules Governing Section 2254 Cases.

Moreover, the Court notes that Jones is a frequent filer of frivolous and malicious actions, and he may not proceed in forma pauperis in civil actions before

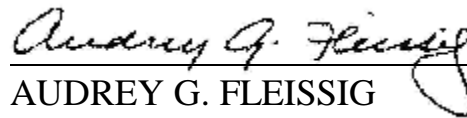
this Court because he has incurred at least three “strikes: under 28 U.S.C. § 1915(g). The instant filing appears to be an attempt to circumvent § 1915(g) through creative titling of his pleadings. This is impermissible.

Accordingly,

IT IS FURTHER ORDERED that this action is **DISMISSED**.

IT IS FURTHER ORDERED that the Court will not issue a certificate of appealability.

Dated this 4th day of April, 2012.

A handwritten signature in cursive script, reading "Audrey G. Fleissig", is written over a horizontal line.

AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE